

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA
Montana Twenty Second Judicial District Court, County of Big Horn

STATE OF MONTANA,)	
)	
Plaintiff,)	
)	CAUSE NO. DC-15-069
-vs-)	
)	DECISION
JACOB SIMON VANHOOK,)	
)	
Defendant.)	

On September 8, 2016, for the offense of Criminal Distribution of Dangerous Drugs (Methamphetamine), a felony, in violation of §45-9-101, MCA, the Defendant's six year deferred sentence was revoked and he was sentenced to twenty (20) years in a prison designated by the Montana Department of Corrections with ten (10) years suspended. The Defendant was given credit for time served in the amount of 232 days. The Defendant was ordered to pay a fine of \$1000.

On February 2, 2017, the Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division").

The Defendant was present and was represented by Brent Getty of the Office of the State Public Defender. The State was not represented.

Before hearing the Application, the Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. The Defendant was further advised that there is no appeal from a decision of the Division. The Defendant acknowledged that he understood this and stated that he wished to proceed.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.

Therefore, it is the unanimous decision of the Division that the sentence is **AFFIRMED**.

Done in open Court this 2nd day of February, 2017.

DATED this 8 day of March, 2017.

SENTENCE REVIEW DIVISION



Hon. Brad Newman, Chairperson



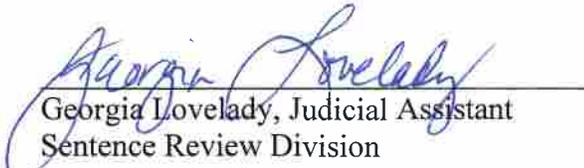
Hon. Kathy Seeley, Member



Hon. Brenda Gilbert, Member

Copies mailed this 9th day
of March, 2017, to:

Clerk of District Court (Original)
Jacob Simon Vanhook #3018342, Defendant (2)
Hon. Blair Jones
Brent Getty, Defense Counsel
Gerald Jay Harris, Esq.
Board of Pardons and Parole
MSP - Records Dept.



Georgia Lovelady, Judicial Assistant
Sentence Review Division